

**Categorical Exclusion Documentation Format for Actions Other Than Hazardous
Fuels and Fire Rehabilitation Actions**

Humane Borders Water Stations Renewal
DOI-BLM-AZ-P020-2013-0022-CX

A. Background

BLM Office: ***Lower Sonoran Field Office (LSFO)***

Lease/Serial/Case File No.: AZA-32809

Proposed Action Title/Type: **FLPMA Land Use Authorization – Permit Renewal**

Location of Proposed Action: **T. 13 S., R. 6 W., Sec. 15; T. 14 S., R. 5 W., Sec. 3**

Description of Proposed Action: The applicant, Humane Borders, has applied to renew its existing land use permit, which authorized three (3) water stations on BLM managed lands south of Ajo, Arizona. Each of the water stations is composed of two (2) 60 gallon blue polyethylene tanks. Each tank is marked with Humane Borders insignia, and is equipped with a spring loaded faucet to prevent accidental draining. The tank caps are manually sealed to prevent casual disturbance. The tanks are mounted on a square metal stand rated to hold 1,000 lbs. and have padded feet. The padded feet prevent the stand from shifting during heavy wind and/or rain. The water stations each consist of a 2' by 3' blue flag on a 20'-40' flagpole sleeved over rebar and driven flush with the ground. The stations are maintained and/or recharged on a daily basis. The water tanks are periodically flushed to guarantee water quality, and at each servicing interval, the chlorine content is continually monitored and adjusted as necessary. The applicant is requesting a 2-year term, with restricted use.

B. Land Use Plan Conformance

Land Use Plan (LUP) Name: Lower Sonoran Record of Decision & Approved Resource Management Plan

Date Approved/Amended: September 14, 2012

☐ The proposed action is in conformance with the applicable LUP because it is specifically provided for in the following LUP decision(s):

☒ The proposed action is in conformance with the LUP, even though it is not specifically provided for, because it is clearly consistent with the following LUP decision(s) (objectives, terms, and conditions):

LR-1: Manage lands and realty actions to effectively support public needs and resource management objectives.

LR-1.3: (Minor Linear and Nonlinear LUAs): Authorize minor linear and nonlinear LUAs in locations that minimize resource impacts, are compatible with multiple use objectives, and do not compromise the existing rights of current holders.

C: Compliance with NEPA:

The Proposed Action is categorically excluded from further documentation under the National Environmental Policy Act (NEPA) in accordance with 516 DM 2, Appendix 1, or 516 DM 11.5:

E.9 which states: Renewals and assignments of leases, permits, or rights-of-ways where no additional rights are conveyed beyond those granted by the original authorization.

This categorical exclusion is appropriate in this situation because there are no extraordinary circumstances potentially having effects that may significantly affect the environment. The proposed action has been reviewed, and none of the extraordinary circumstances described in 516 DM 2 or 516 DM 11.5 apply.

I considered: N/A

D: Signature

Review: *We have determined that the proposal is in accordance with the categorical exclusion criteria and that it would not involve any significant environmental effects. Therefore, it is categorically excluded from further environmental review.*

Prepared by: // Jo Ann Goodlow **Date:** 6/12/2013

**Jo Ann Goodlow
Project Lead**

Reviewed by: // Leah Baker **Date:** 2013-6-14

**Leah Baker
Planning & Environmental Coordinator**

Reviewed by: // Edward J. Kender **Date:** 6/17/13

**Edward J. Kender
Acting Field Manager**

Contact Person

For additional information concerning this CX review, contact:

Jo Ann Goodlow, Realty Specialist, Phoenix District Office - Lower Sonoran Field Office, 21605 North 7th Avenue, Phoenix, Arizona 85027, 623-580-5500.

BLM Categorical Exclusions: Extraordinary Circumstances¹
Attachment 1

The action has been reviewed to determine if any of the extraordinary circumstances (43 CFR 46.215) apply. The project would:		
1. Have significant impacts on public health or safety?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The proposed action will not present significant impacts on public health or safety. The placement of the water stations aid in the prevention of deaths from exposure/dehydration.
2. Have significant impacts on such natural resources and unique geographic characteristics as historic or cultural resources; park, recreation or refuge lands; wilderness or wilderness study areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands (Executive Order 11990); floodplains (Executive Order 11988); national monuments; migratory birds (Executive Order 13186); and other ecologically significant or critical areas?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The proposed action will not present any significant impacts on natural resources and unique geographic characteristics as historic or cultural resources. It is unlikely that cultural resources exist in and around the proposed areas. There will also be no significant impacts to park, recreation or refuge lands; wilderness or wilderness study areas; wild or scenic rivers; national natural landmarks; sole or principal drinking water aquifers; prime farmlands; wetlands; floodplains; national monuments; migratory birds or other ecologically significant or critical areas.
3. Have highly controversial environmental effects or involve unresolved conflicts concerning alternative uses of available resources [NEPA Section 102(2)(E)]?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The proposed renewal would not have any highly controversial environmental effects, nor would it involve unresolved conflicts concerning alternative uses of available resources.
4. Have highly uncertain and potentially significant environmental effects or involve unique or unknown environmental risks?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The nature of the proposed renewal does not present with any potentially significant environmental effects, nor does it involve unique or unknown environmental risks.
5. Establish a precedent for future action, or represent a decision in principle about future actions, with potentially significant environmental effects?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: Placement of the water stations does not establish a precedent for future action, nor does it represent a decision in principle about future actions, with potentially significant environmental effects.
6. Have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects?		

¹ If an action has any of these impacts, you must conduct NEPA analysis.

Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The proposed action will not have a direct relationship to other actions with individually insignificant, but cumulatively significant, environmental effects.
7. Have significant impacts on properties listed or eligible for listing, on the National Register of Historic Places as determined by either the Bureau or office?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The proposed action does not have any significant impacts on properties listed or eligible for listing on the National Register of Historic Places.
8. Have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, or have significant impacts on designated Critical Habitat for these species?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: Issuing the renewal will not have significant impacts on species listed, or proposed to be listed, on the List of Endangered or Threatened Species, nor will it have significant impacts on designated Critical Habitat for these species.
9. Violate a Federal law, or a State, local, or tribal law or requirement imposed for the protection of the environment?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The proposed renewal does not violate a Federal law or a State, local or tribal law or requirement imposed for the protection of the environment.
10. Have a disproportionately high and adverse effect on low income or minority populations (Executive Order 12898)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The proposed renewal will not have a disproportionately high and adverse effect on low income or minority populations.
11. Limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners, or significantly adversely affect the physical integrity of such sacred sites (Executive Order 13007)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The proposed renewal will not limit access to and ceremonial use of Indian sacred sites on Federal lands by Indian religious practitioners, or significantly adversely affect the physical integrity of such sacred sites.
12. Contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur in the area, or actions that may promote the introduction, growth, or expansion of the range of such species (Federal Noxious Weed Control Act and Executive Order 13112)?		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Rationale: The proposed renewal should not contribute to the introduction, continued existence, or spread of noxious weeds or non-native invasive species known to occur within the area.

Decision
Attachment 2

Project Description:

The applicant, Humane Borders, has applied to renew its existing land use permit, which authorized three (3) water stations on BLM managed lands south of Ajo, Arizona. Each of the water stations is composed of two (2) 60 gallon blue polyethylene tanks. Each tank is marked with Humane Borders insignia, and is equipped with a spring loaded faucet to prevent accidental draining. The tank caps are manually sealed to prevent casual disturbance. The tanks are mounted on a square metal stand rated to hold 1,000 lbs. and have padded feet. The padded feet prevent the stand from shifting during heavy wind and/or rain. The water stations each consist of a 2' by 3' blue flag on a 20'-40' flagpole sleeved over rebar and driven flush with the ground. The stations are maintained and/or recharged on a daily basis. The water tanks are periodically flushed to guarantee water quality, and at each servicing interval, the chlorine content is continually monitored and adjusted as necessary. The applicant is requesting a 2-year term, with restricted use.

Decision: Based on a review of the project described above and field office staff recommendations, I have determined that the project is in conformance with the land use plan and is categorically excluded from further environmental analysis. It is my decision to approve the action as proposed, with the following stipulations (if applicable).

Approved By: // Edward J. Kender **Date:** 6/17/13
Edward J. Kender

MITIGATION MEASURES / OTHER REMARKS